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C O N F I D E N T I A L SECTION 01 OF 02 SARAJEVO 001211

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DEPARTMENT FOR EUR(DICARLO), EUR/SCE(HOH/FOOKS/STINCHCOMB),
IO/UNP AND S/WCI(WILLIAMSON/LAVINE); NAC FOR BRAUN; USNIC
FOR MCLEAN

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SUBJECT: BOSNIA - SILAJDZIC SUGGESTS RAISING SREBRENICA AT
UN GENERAL ASSEMBLY

Classified By: Acting DCM Mike Reinert. Reason 1.4(b) and (d).

11. (C) SUMMARY: The Srebrenica Initiative Board announced plans to hold a public demonstration in front of parliament on June 11 in support of its demand for secession from Republika Srpska. Spokesmen for all three major Bosniak parties endorsed the demonstration. Earlier in the week, the Party for Democratic Action (SDA) and Party for Bosnia and Herzegovina (SBiH) formally tabled a constitutional amendment that would create a "Special District" for Srebrenica and surrounding municipalities under the state's jurisdiction. In a conversation with the Ambassador, Bosniak member of the Tri-Presidency Haris Silajdzic claimed that he had talked Initiative Board members out of making a unilateral declaration of independence on June 11, but warned tensions were rising. He repeated earlier arguments in favor of creating a special district and signaled that he planned to bring the issue before the UN General Assembly (UNGA) this fall. Separately, a controversy over a draft Law on the Srebrenica-Potocari Memorial is simmering. OHR Special Envoy for Srebrenica Cliff Bond has warned that OHR may have to use the Bonn Powers to break a potential deadlock. Special Envoy Bond is also arranging Srebrenica-related donors coordination and business investment events. Tensions over Srebrenica had been declining in recent weeks, but the introduction of a constitutional amendment removing it from the RS threatens to reignite nationalist passions. END SUMMARY

Srebrenica Special Status Protest Planned for June 11

12. (C) Haris Silajdzic asked to see the Ambassador on June 1 to discuss plans by the Initiative Board for the Special Status of Srebrenica to stage a protest outside the Bosnian parliament on June 11. Silajdzic told the Ambassador that he had met with members of the Initiative Board earlier in the week and talked them out of issuing a unilateral declaration of "independence" from Republika Srpska (RS). Silajdzic implied that it was a difficult conversation, but that his argument that the USG was trying to help the people of Srebrenica and his warning that any precipitous action risked upsetting the Kosovo final status process won over most Initiative Board members. The exchange highlighted how angry Bosniaks and the people of Srebrenica remained over the international community's failure to react to the February 26 International Court of Justice (ICJ) verdict. Recent reports

that the security situation in Srebrenica had improved were inaccurate, Silajdzic asserted.

Planning for a Srebrenica Resolution at UNGA

13. (C) Silajdzic told the Ambassador that it was "(his) responsibility" as the Bosniak member of the Presidency to support demands from Srebrenica's citizens for special status outside the RS. Srebrenica is not "just any other" place; "genocide occurred there," he continued. He was able to accept Srebrenica's incorporation into the RS at Dayton because there had been no "official determination" in 1995 that genocide took place from July 11, 1995 in Srebrenica. The ICJ changed "the facts on the ground," and he planned to "exhaust every legal avenue to revise the results of genocide." In response to a question from the Ambassador about what he meant by "every legal means," Silajdzic said that he would start at the UN General Assembly, but would not elaborate.

Bosniaks Introduce Constitutional Amendment on Srebrenica

14. (C) Separately, the SDA and SBiH formally introduced a constitutional amendment in the House of Representatives that would create a special district for "Srebrenica and other municipalities in Eastern Bosnia" under the "exclusive competence of Bosnia and Herzegovina and its institutions." (Note: Bakir Iztebegovic, SDA, and Azra Hadziahmetovic, SBiH, are the amendment's co-sponsors. End Note.) The amendment's explanatory text includes language asserting that the RS and its institutions were determined to be responsible for the genocide in and around Srebrenica by the ICJ. Based on the

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verdict and "international law principles," specifically the International Law Commission's articles on the "Responsibility of States for Internationally Wrongful Acts," it "was necessary" to create a special district for Srebrenica and surrounding municipalities. In his exchange with the Ambassador, Silajdzic argued that the amendment was necessary to calm the political climate and address the grievances of Bosniaks in Srebrenica. He conceded that the amendment was unlikely to pass.

Bonn Powers Possible for Srebrenica-Potocari Memorial Law

15. (C) In addition to special status, Bosniaks are pressing for legislation that would transfer authority for the Srebrenica-Potocari Memorial to the state. The International Community Assessment Group on Srebrenica, which was set up by OHR shortly after the ICJ verdict, also recommended such legislation. The initial Bosniak proposal contained several provisions that appeared to create a special district outside RS jurisdiction (i.e., reference to borders, creation of a memorial assembly). OHR Special Envoy for Srebrenica Cliff Bond is working with OHR legal advisors to revise the law. There is widespread consensus within the international community that legislation should be passed prior to the annual July 11 ceremonies and burials at the memorial, but the Serbs have signaled they might oppose any legislation. Special Envoy Bond plans to discuss the issue with RS PM Milorad Dodik in the coming week, but has signaled to Steering Board Ambassadors that the HighRep may need to use his Bonn Powers to impose the law.

Srebrenica Donor Coordination and Investment Events

16. (C) Special Envoy Bond also hopes to finalize several other initiatives prior to the July 11 Srebrenica commemorations. He has concluded that additional financial support for Srebrenica from international donors is not needed at this time, but that there is scope for improving

donor coordination and information sharing. In order to address this, he has persuaded UNDP to work with the recently established Bosnian government Srebrenica coordination group and host a donor event in Srebrenica before the end of June. Bond hopes that the conference will, inter alia, address criticisms that international funding has not been accountable or shown visible results on the ground. He also plans to use the donor event as a spring board for a business promotion and investment event. Srebrenica officials and residents have generally focused their economic energies on reviving old socially-owned enterprises and/or reversing past privatizations, but according to Bond, the solution to Srebrenica's economic problems is new investment.

Comment

17. (C) In recent weeks, some of the wind has been taken out of the sails of the Srebrenica special status movement. The appointment of Special Envoy Bond, our efforts to resolve the Bratunac burial controversy and attract American investment to Srebrenica, and tangible progress on RS PM Dodik's pledges have had an impact. The exposure of the alleged attack by Serbs on a Bosniak from Ljeskovik as a hoax has also hurt the credibility of the Initiative Board and its supporters. The decision by SBiH and SDA to press ahead with their constitutional amendment removing Srebrenica and other municipalities from the RS threatens to ratchet up tensions once again. It is not surprising that Silajdzic and his party are unconcerned with the risks associated with going down this path, but SDA President Sulejman Tihic had suggested to the Ambassador that he had been reconsidering this approach.

MCELHANEY